

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>K. KABASHA GRIFFIN-EL</b>	:	<b>CIVIL ACTION</b>
<b>a/k/a KEITH FEDELE GRIFFIN,</b>	:	
<b>Plaintiff,</b>	:	
	:	
	:	
	:	
<b>v.</b>	:	
	:	
	:	
<b>JEFFREY A. BEARD, et al.,</b>	:	<b>NO. 06-2719</b>
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this 29<sup>th</sup> day of May, 2009, having considered Plaintiff's letter to the Court dated 5/13/09 requesting service of process on C.C. Smith, Gerald Galinski, Francis Feild, William Banta, and Robert Bitner (Doc. No. 94), Defendants' letter in response thereto dated 5/14/09 (Doc. No. 95), Plaintiff's reply letter dated 5/14/09 (Doc. No. 93), and the arguments of counsel during a prior telephone conference, it is hereby **ORDERED** that:

1. With respect to Defendants Smith, Galinski, Feild, Banta, and Bitner, the summonses are to issue, service of the summonses and Second Amended Complaint are to be made upon the Defendants by the U.S. Marshals Service within **SIXTY DAYS** in the event that waiver of service is not effected under Fed. R. Civ. P. 4(d)(2). To effect waiver of service, the Clerk of Court is specially appointed to serve written waiver requests on the above named Defendants. The waiver of service requests shall be accompanied by a copy of the complaint and shall inform the Defendants of the consequences of compliance and of failure to comply with the requests. The requests shall allow the Defendants at least 30 days from the date they are sent (60 days if addressed outside any judicial district of the United States) to return the signed waivers.

If a signed waiver is not returned within the time limit given, the Clerk of Court's office shall transmit the summons and a copy of the complaint to the U.S. Marshals Service for immediate service under Fed. R. Civ. P. 4(c)(1), and a copy of this order is to be directed to all parties.

2. Counsel for Plaintiff **MUST** exercise due diligence in providing the U.S. Marshals Service with any of the requisite information needed to effectuate service upon the above named Defendants and in ensuring that service is timely and properly effectuated.

BY THE COURT:

/s/ L. Felipe Restrepo  
L. Felipe Restrepo  
United States Magistrate Judge